

State of Rhode Island and Providence Plantations

Journal of the Senate

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the seventh day of January in the year of Our Lord two thousand and three.

Volume 130, No.8 Thursday, January 23, 2003 Eighth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT - 37:

The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT - 1: Senator Blais.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Alves, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Alves, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of Wednesday, January 22, 2003 proceedings is read in part.

Upon suggestion of Senator Alves, and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER**

January 21, 2003

The Honorable William V. Irons
President of the Senate
318 State House
Providence, RI 02903

Dear Senator Irons:

Please be advised that I will be absent from the Senate session on Thursday, January 23 due to a business commitment. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

LEO R. BLAIS
Senior

Deputy Minority Leader

Received and ordered to be placed on file.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion ofSenate Majority Leader Montalbano, seconded by Senator Algieri, the following measure on today's Consent Calendar, by unanimous consent, is read and passed, in concurrence, upon a voice vote:

- 1. (03-H5106) An Act to vacate the forfeiture or revocation of the charter of Agency Realty and Mortgage Company.

NEW BUSINESS

Senators Irons and Montalbano present (03-S 114) An Act relating to the Secretary of State.

Senate Majority Leader Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion ofSenate Majority Leader Montalbano, seconded by Senators Polisena, Damiani, Algieri and many others, and by unanimous consent, read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 37:

The Honorable President Irons and Senators Algiere, Alves, Badeau, Bates, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Senators Damiani, Polisena, Ciccone, Ruggerio and McBurney present (03-S 115) An Act relating to retirement - registered nurses.

Read and referred to the Committee on Finance.

Senators McCaffrey, Polisena and Paiva Weed present (03-S 116) An Act relating to taxation - youth apprenticeship tax credit.

Read and referred to the Committee on Finance.

Senators Walaska, Fogarty, Alves, Cote, Felag, Paiva Weed and Goodwin present (03-S 117) An Act relating to textbooks.

Read and referred to the Committee on Finance.

Senators Polisena, Damiani, Bates, Blais and Celona present (03-S 118) An Act relating to public access defibrillation.

Read and referred to the Committee on Finance.

Senators Felag, Paiva Weed, Sosnowski and Walaska present (03-S 119) An Act relating to teachers' retirement.

Read and referred to the Committee on Finance.

Senators Polisena, Celona, Raptakis and Damiani present (03-S 120) An Act relating to health and safety - the Nursing Education Scholarship Program.

Read and referred to the Committee on Finance.

Senators Raptakis, Polisena, Damiani, Celona, DaPonte and others present (03-S 121) An Act relating to State Police Training Academy.

Read and referred to the Committee on Judiciary.

Senators Montalbano, McCaffrey, Paiva Weed, Lenihan and Raptakis present (03-S 122) An Act relating to courts - judicial selection.

Read and referred to the Committee on Judiciary.

Senators Bates, DaPonte, Walaska, Connors and Polisena present (03-S 123) An Act relating to elections - nomination papers.

Read and referred to the Committee on Judiciary.

Senators McCaffrey and Polisena present (03-S 124) An Act relating to health and safety - state building code.

Read and referred to the Committee on Judiciary.

Senators McCaffrey and Polisena present (03-S 125) An Act relating to motor vehicles.

Read and referred to the Committee on Judiciary.

Senators Ciccone, Ruggerio, Badeau, Goodwin, Walaska and others present (03-S 126) An Act relating to registration of voters.

Read and referred to the Committee on Judiciary.

Senators Felag and Parella present (03-S 127) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senators Damiani, Polisena, Ciccone, Ruggerio and McBurney present (03-S 128) An Act relating to labor and labor relations.

Read and referred to the Committee on Labor.

Senators Damiani, Polisena, Ciccone, Ruggerio and McBurney present (03-S 129) An Act relating to municipal police arbitration.

Read and referred to the Committee on Labor.

Senators Damiani, Polisena, Ciccone, Ruggerio and McBurney present (03-S 130) An Act relating to labor and labor relations.

Read and referred to the Committee on Labor.

Senators Damiani, Polisena, Ciccone, Ruggerio and McBurney present (03-S 131) An Act relating to labor and labor relations - arbitration of labor controversies.

Read and referred to the Committee on Labor.

Senators Gibbs, Bates, Roberts, Perry and Algiere present (03-S 132) An Act relating to businesses and professions.

Read and referred to the Committee on Health and Human Services.

Senators Perry, Tassoni, Bates, Gibbs, Pichardo and Ciccone present (03-S 133) An Act relating to the Public Assistance Act - medical assistance and abortions.

Read and referred to the Committee on Health and Human Services.

Senators Raptakis, Gallo, Polisena, Caprio and Cote present (03-S 134) An Act relating to criminal offenses - children.

Read and referred to the Committee on Health and Human Services.

Senators Polisena, Raptakis and Damiani present (03-S 135) An Act relating to health and safety - public access defibrillation.

Read and referred to the Committee on Health and Human Services.

Senators Polisena, Raptakis and Damiani present (03-S 136) An Act relating to businesses and professions - health clubs.

Read and referred to the Committee on Health and Human Services.

Senators Bates, Walaska, Celona, Breene and Blais present (03-S 137) An Act relating to insurance.

Read and referred to the Committee on Financial, Technology and Regulatory Issues.

Senators McCaffrey, Polisena and Paiva Weed present (03-S 138) An Act relating to financial institutions - community obligations and banking offenses.

Read and referred to the Committee on Financial, Technology and Regulatory Issues.

Senators Damiani, Polisena, Ciccone, Ruggerio and McBurney present (03-S 139) An Act relating to military affairs - continuation of employment.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senators Celona, McCaffrey and Tassoni present (03-S 140) An Act relating to military affairs.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senator Felag presents (03-S 141) An Act relating to towns and cities - councils and governing bodies.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senators Polisena and Damiani present (03-S 142) An Act relating to taxation - levy and assessment of local taxes.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senators Sosnowski, Alves, Irons, Lenihan and Paiva Weed present (03-S 143) An Act relating to indebtedness of towns and cities - municipal deficits.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senator Celona presents (03-S 144) An Act to vacate the forfeiture or revocation of the charter of Rocco's Service Station, Inc.

Read and ordered to be placed on the Consent Calendar.

Senator McCaffrey presents (03-S 145) An Act to vacate the forfeiture or revocation of the charter of South Auburn Oil Company, Inc.

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Ruggerio, seconded by Senate Majority Leader Montalbano, and by unanimous consent, read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 37:

The Honorable President Irons and Senators Algiere, Alves, Badeau, Bates, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski,

Tassoni, Walaska.

NAYS - 0.

FROM THE HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage:

(03-H 5205) Joint Resolution designating the Secretary of State as the Acting Chief State Election Official for the purpose of the Help America Vote Act.

Senate Majority Leader Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Montalbano, seconded by Senators Celona, Paiva Weed, Damiani, Raptakis and Breene, and by unanimous consent, read and passed, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 33:

The Honorable President Irons and Senators Algieri, Bates, Breene, Caprio, Celona, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

ANNOUNCEMENTS

Senator Connors announces that the Senate Rules Committee will meet on Thursday, January 23, 2003, at the rise of the Senate in Room 313 of the State House.

Also:

Senator Felag announces that the Senate Finance Committee will meet on Tuesday, January 28, 2003, at the rise of the Senate at in Room 313 of the State House.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senate Majority Leader Montalbano, the Senate adjourns at 4:56 o'clock P.M., in memory of James Dale Nesbitt of North Providence and a student at Saint Raphael Academy, who lost his life in a tragic accident.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR STEPHEN D. ALVES

Heavenly Father, look upon your humble minions as we set out to do the people's will. Let us deliberate the issues of the day with brevity, sincerity, and humility. Silence the cynics, expose the devious and bring victory to the righteous. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, January 28, 2003:

- 1. (03-S144) An Act to vacate the forfeiture or revocation of the charter of Rocco's Service Station, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, January 23, 2003

As always, your [comments](#) concerning this page are welcomed and appreciated.

Thank you for stopping by!

